In the High Court of Punjab and Haryana at Chandigarh

C.M. No. 3379 of 2007 and

C.W.P. No. 1917 of 2007

Date of Decision: 02.03.2007

Surjit Singh and others

…Petitioners

Versus

Union Bank of India and others

…Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Amit Rawal, Advocate,
for non-applicant-petitioners.

Mr. Inderjit Sharma, Advocate,
for the applicant-respondent Nos. 1 to 3.

M.M. KUMAR, J. (Oral),

The principal prayer made by the petitioners in fact emanated from the non-functioning of the Debts Recovery Tribunal, Chandigarh Bench, Chandigarh. The respondents have now filed an application (C.M. No. 3379 of 2007) apprising us that the Tribunal is now working regularly and the grievance of the petitioners can be ventilated before the Tribunal.

Notice of the application.

Mr. Amit Rawal, learned counsel for the non-applicant-petitioners, who is present in the Court, accepts notice and with the consent of the parties, main case is also taken up for hearing.

Mr. Amit Rawal states that he has no objection to go before the Tribunal but the rights of the petitioners may be safeguarded by extending the interim order passed by this Court staying dispossession of the petitioners.

After hearing learned counsel for the parties, we are of the view that once the Tribunal has started functioning there is no room left for the petitioners to raise their grievance before us. Accordingly, the petitioners are relegated to their regular remedy before the Tribunal. Mr. Inderjit Sharma, learned counsel for respondent Nos. 1 to 3 undertakes that no steps to dispossess the petitioners shall be taken for a period of 10 days from today.

In view of the above, the application as well as the writ petition stands disposed of.

(M.M. KUMAR)
JUDGE

(RAJESH BINDAL)
JUDGE

March 2, 2007

Pkapoor